

Application for Position of Federal Public Defender

***SECOND JUDICIAL CIRCUIT
APPLICATION FOR POSITION OF
UNITED STATES FEDERAL PUBLIC DEFENDER
for the NORTHERN DISTRICT of NEW YORK***

I. General Information:

1. Full name:
2. All other names by which you have been known:
3. Present occupation and Title:
4. Office address and phone number:
5. Residential address, cell and home phone numbers:
6. Place and date of birth:
7. Length of residence in New York:
8. If you are a naturalized citizen, please state the date and place of naturalization:
9. Spouse's name:
10. Spouse's occupation:

If spouse is an attorney, will he/she practice before the District court if you are appointed as Federal Public Defender?
11. Are you related by blood or marriage to any Federal Judge of the Second Circuit or any member of the staffs of the various courts in the Second Circuit? If so, give their names and relationship:
12. If you served in the United States Military, provide branch, dates of service, rank and type of discharge:

II. Health

13. Do you have any physical or mental impairment that would prevent you from performing the functions of Federal Public Defender?
14. The Judiciary is responsive to the provisions of the Americans with Disabilities Act of 1990. If you answered yes to question 13, what accommodation(s) do you require to fully perform the functions of Federal Public Defender? Provide details:

Application for Position of Federal Public Defender

III. Education

15. Please list, **in reverse chronological order**, law schools, professional schools, colleges and universities you attended. Provide dates, degrees, and class standing (if known):

16. Please list all continuing legal education courses completed within last 5 years:

IV. Honors

17. Were you a member of any law review? Provide journal names, positions and dates:

18. Have you published any legal books or articles? If so, please list them, giving citations and dates:

19. List any honors, prizes, or awards you have received:

V. Professional Admissions

20. List all courts, state bar admissions and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case:

Application for Position of Federal Public Defender

VI. Employment History

21. **In reverse chronological order**, list all self-employment, law firms, public agencies and private businesses or non-profit organizations by which you have been employed or with which you have been associated. Provide the name, the title of your position, dates of employment, name of your supervisor or other point of contact, address and telephone number for each.
22. Describe the general nature of your current legal practice including any legal specialties which you possess and the characteristics of your typical clients. Additionally, if your practice is substantially different now than previously, please give the same information with respect to your prior practice.
23. What percentage of your Courtroom appearances in the past five years were in:
- | | |
|---|---------|
| Federal District and Appeals Courts | _____ % |
| State or Local Courts of Record..... | _____ % |
| Bankruptcy Court..... | _____ % |
| Administrative Bodies | _____ % |
| Other | _____ % |
24. During the past five years, what percentage of your practice has been trial practice?
How many times per month have you appeared in court?
How many times per month have you appeared at administrative hearings?
What percentage of your practice involving litigation has been:
- | | |
|---------------------|---------|
| Criminal | _____ % |
| Civil..... | _____ % |
| Bankruptcy | _____ % |
| Administrative..... | _____ % |
| Other _____ | % |
25. Please identify not more than ten cases you tried to conclusion in courts of record. State briefly for each such case: (i) whether you were sole, associate, or chief counsel; (ii) the issues presented; (iii) the name, current address and telephone number of your adversary(ies) and co-counsel; and (iv) the judge(s) before whom you appeared. Give citations of any reported cases.

Application for Position of Federal Public Defender

26. Please identify the appeals you have handled to conclusion in appellate courts during the past five years. State briefly for each such case: (i) whether you were sole, associate, or chief counsel; (ii) the issues presented; (iii) the name, current address and telephone number of your adversary(ies) and co-counsel; and (iv) the judge(s) before whom you appeared. Give citations of any reported cases.

VII. Public Office

27. Have you ever campaigned for, or held, public office? If so, give details:
28. Have you ever held a position as a Federal Public Defender or been a candidate for Federal Public Defender? If so, please state the name of the agency involved and the dates of service, or dates of candidacy:
29. Have you ever held quasi-judicial service? If so, please state: the name of Agency, what issues were addressed, the number of cases adjudicated, and your dates of service.

VIII. Business Involvement:

30. If you are now an officer, director or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties and whether you intend to resign such position immediately upon your appointment to Federal Public Defender.
31. Since being admitted to the Bar, have you ever engaged in any occupation, business or profession other than the practice of law? If so, give the details, including dates.

Application for Position of Federal Public Defender

32. State whether during the past five years you have received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization or association of any kind. If so, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

IX. Disciplinary Proceedings/Offenses

33. If you answer yes to any questions, 34-42, provide specific, relevant details including but not limited to, name(s) of lawsuit, docket number, court of record or disciplinary authority final judgment, parties of record and dates.
34. Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation or ordinance? Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence. Circle one: YES NO
35. Have you, to your knowledge, ever been under federal, state or local investigation for possible violation of a criminal statute? Circle one: YES NO
36. Have you ever been sued by a client? Circle one: YES NO
37. Have you ever been involved as a party to any criminal, civil or administrative litigation?
Circle one: YES NO
38. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group or, without regard to the outcome, to your knowledge has there ever been a complaint against you with or by any court, administrative agency, bar association or other professional group?
Circle one: YES NO
39. Have you ever been charged or investigated to determine if you should be charged with misconduct, incompetence, unsatisfactory performance of duty or violation of law? Circle one: YES NO
40. Have you, to your knowledge, ever been found not qualified for any public position by any court, administration agency, bar association or other professional group? Circle one: YES NO
41. Have you ever been disciplined or terminated by or resigned to avoid possible termination from any public or private employer, law firm or any other entity because of misconduct, incompetence or unsatisfactory performance? Circle one: YES NO

Application for Position of Federal Public Defender

42. Have you ever resigned from, or for other reasons ceased to be a member of, the bar or bench of any state or court in any jurisdiction, a member of any governmental body, a hearing officer or the holder of any similar position? Circle one: YES NO

X. Taxes

43. To the best of your knowledge, are you in compliance with the tax laws of the federal government and the state, county and community of which you are a resident?
44. Have you timely filed appropriate tax returns as required by federal, state, local and other government authorities?
45. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? If so, provide details.
46. To your knowledge, do you have any unanswered summonses, traffic tickets or notices of infraction against you by any federal, state or local authorities? If so, provide details.
47. Are there any unsatisfied judgments against you? If so, provide dates, nature and amount of judgment
48. Are you in default in the performance or discharge of any duty or obligation imposed upon you by decree or order of any court or administrative agency, including alimony/maintenance and support order decrees? If yes, please explain.
49. Have you ever made an assignment for the benefit of creditors? If so, provide details.
50. Has any petition in bankruptcy ever been filed by or against you? If so, provide date, docket number, court where filed and disposition.

Application for Position of Federal Public Defender

XI. Professional and Other Activities

51. List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged.
52. List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 51, of which you have been a member during the past ten years, including the titles and dates of any offices you have held in such organization.
53. Describe any civic, philanthropic, community, social or public service activities during the past five years, including any posts or offices held and honors or awards received.

XII. Supplemental Information:

54. Do any clubs or private associations to which you belong discriminate against women or minorities? If yes, please advise whether you intend to remain a member.
55. In 500 words or less, state any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law.
56. In 500 words or less, state any additional education or other experiences you believe would assist you in holding the office of Federal Public Defender.

Application for Position of Federal Public Defender

57. State any other pertinent information reflecting positively or adversely on you which you believe should be disclosed to the Court of Appeals, the Judicial Council and the selection panel in connection with your possible nomination as Federal Public Defender.

58. Give the names and current phone numbers of at least five (5) but not more than eight (8) persons (excluding relatives) as references who are familiar with your professional work and abilities and with your personal character, stating how long and in what capacity each has known you. Please include: name and relationship, telephone number, and period of acquaintance.

Application for Position of Federal Public Defender

Confidentiality Statement

This application will be kept confidential and will be examined only by members of the Merit Selection Panel, the Circuit Executive and the Judges of the United States Court of Appeals for the Second Circuit. The individuals whom you have listed as references may be contacted by the Panel. If you do not wish employers, co-workers, adversaries, colleagues or others (such as physicians and hospitals) to be contacted, please indicate by a check mark ____ .

If you wish to withhold your consent to such contacts until such time as you may be considered a potential finalist for the position, and in that event, consent to such contacts, please indicate by a check mark ____ .

Date

Signature of Candidate

Submit an original, completed application and your writing sample of no more than 10 pages along with 6 copies of each. In addition, send a diskette, in Rich Text Format (RTF), containing both application and writing sample. Additionally, provide one up-to-date résumé and three letters of reference. Send entire package to:

Mailing address:

Office of the Circuit Executive
United States Courthouse
40 Foley Square, Room 2904
New York, NY 10007

Physical address:

Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 310
New York, NY 10007

Application packages must be received no later than 12:00 noon EST on December 16, 2011.

N.B. If you change your address, or if anything occurs that would affect your answers to this application, notice of such change should be sent to Circuit Executive Karen Greve Milton.